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| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/376,381 | Khai Hee Kwan | |
| | Examiner | Art Unit | |
| | Debra F. Charles | 3628 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to April 22, 2004.
2. The allowed claim(s) is/are 29-31,33-37,39-46 and 48.
3. The drawings filed on 19 August 1999 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Response to Amendment

1. Claims 29, 33, and 39 have been elected. Claims 32, 38, 49, 50 51, 52, 53, 54, 55, 56, and 57 have been canceled.

Allowable Subject Matter

2. Claims 29-31, 33-37, 39-46 and 48 are allowed.
3. The following is an examiner's statement of reasons for allowance:

As per Claim 29:

The present invention is directed to an interactive electronic cargo option exchange for cargo service providers to manage cargo freight fees between registered users and cargo service providers by electronically determining the price for cargo option and for existing cargo option to be sold, bought and settled. Independent claim 29 identifies the uniquely distinct features of a memory in said cargo system containing a program means for calculating, selecting, and responding adapted to be executed by said cargo system's CPU; wherein said cargo system calculating means uses at least, remaining payment, time period to provide service, current cargo service cost for a selected route to determine the base price, calculating standard deviation of cargo service price. The closest prior art, Hunt (U.S. PAT. 5724524 A), Chou (U.S. PAT. 6035289 A), Tozzoli (U.S. PAT. 6151588 A), Bain et al.(U.S. PAT. 6625584 B1), Walker et al. (U.S.PAT. 6085169A), Walker et al. (U.S.PAT. 5797127A),Kanai et al.(JP406150163A, translation enclosed), and Toby B. Gooley, "Shipping without Boarders", Logistics Management and Distribution Report , Jan. 1998, disclose a full

service trade system with a 3rd party network, a freight booking system, electronic trading of cargo capacity, but not securitized options on that capacity, a listing system for carrier capacity, conditional purchase offer management system that is not exchange tradeable, and pricing options for airline tickets, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

As per Claim 33:

The present invention is directed to an interactive electronic cargo option exchange for cargo service providers to manage cargo freight fees between registered users and cargo service providers by electronically determining the price for cargo option and for existing cargo option to be sold, bought and settled. Independent claim 33 identifies the uniquely distinct features of determining cargo option price for freight services over a network connected to a central controller linked to a plurality of terminals; and cargo option price = LC*D*L*C*R*V*W*Q*A*CO. The closest prior art, Hunt (U.S. PAT. 5724524 A), Chou (U.S. PAT. 6035289 A), Tozzoli (U.S. PAT. 6151588 A), Bain et al.(U.S. PAT. 6625584 B1), Walker et al. (U.S.PAT. 6085169A), Walker et al. (U.S.PAT. 5797127A), Kanai et al.(JP406150163A, translation enclosed), and Toby B. Gooley, "Shipping without Boarders", Logistics Management and Distribution Report , Jan. 1998, disclose a full service trade system with a 3rd party network, a freight booking system, electronic trading of cargo capacity, but not securitized options on that capacity, a listing system for carrier capacity, conditional purchase offer management system that is not exchange tradeable, and pricing options

for airline tickets, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

As per Claim 39:

The present invention is directed to an interactive electronic cargo option exchange for cargo service providers to manage cargo freight fees between registered users and cargo service providers by electronically determining the price for cargo option and for existing cargo option to be sold, bought and settled. Independent claim 39 identifies the uniquely distinct features of determining cargo option for freight services over a network connected to a central controller linked to at least one service provider cargo system and a plurality of terminals; and cargo option price = LC*D*L*C*R*V*W*Q*A*CO. The closest prior art, Hunt (U.S. PAT. 5724524 A), Chou (U.S. PAT. 6035289 A), Tozzoli (U.S. PAT. 6151588 A), Bain et al.(U.S. PAT. 6625584 B1), Walker et al. (U.S.PAT. 6085169A), Walker et al. (U.S.PAT. 5797127A), Kanai et al.(JP406150163A, translation enclosed), and Toby B. Gooley, "Shipping without Boarders", Logistics Management and Distribution Report , Jan. 1998, disclose a full service trade system with a 3rd party network, a freight booking system, electronic trading of cargo capacity, but not securitized options on that capacity, a listing system for carrier capacity, conditional purchase offer management system that is not

exchange tradeable, and pricing options for airline tickets, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

The claims which depend from the above allowed claims are allowed based on their dependencies.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 305-4718. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra F. Charles
Examiner
Art Unit 3628


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